



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,024	12/08/2000	Paula S. Newman	001508-3190	1622

7590 07/13/2005

Gunnar G. Leinberg, Esq.  
NIXON PEABODY LLP  
Clinton Square, P. O. Box 31051  
Rochester, NY 14603

EXAMINER
----------

NGUYEN, THANH

ART UNIT	PAPER NUMBER
----------	--------------

2144

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/732,024

Applicant(s)

NEWMAN ET AL.

Examiner

Tammy T. Nguyen

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on January 7, 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-10,12-18 and 20-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12-18 and 20-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

RD



**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

***Detailed Office Action***

1. This action is in response to the amendment filed on January 7, 2005.
2. Claims 1, 3-10, 12-18, and 20-27 are pending.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-10, 12-18, and 20-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mithras C. Maurille, (hereinafter Maurille) U.S. Patent No. 6,484,196 in view of Costales et al., (hereinafter Costales) U.S. Patent No. 6,044,395.
5. As to claim 1, Maurille teaches the invention as claimed, including a method for presenting email threads, comprising the steps of: identifying the logical components of each message in a thread (Fig.3B message in thread); determining the relationships

between the messages in the thread using the logical components (col.3, lines 40-65); and generating a document based upon the determined relationships (col.10, lines 20-30). But Maurille does not explicitly teach wherein any logical components that are identified in each of the messages in the thread are removed during the generating step so that the generated document does not include the redundant logical components. However, Costales teaches any logical components that are identified in each of the messages in the thread are removed during the generating step so that the generated document does not include the redundant logical components (fig.5A) (see col.5, line 65 to col.6, line 40). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Costales into the computer system of Maurille to have generated document does not include the redundant logical components because it would have provided the quality of systems or elements that are backed up with secondary resources.

6. As to claim 3, Maurille teaches the invention as claimed, wherein the step of identifying logical components comprises generating a message tree that includes nodes that recursively divide each of the messages into a main body, nested excerpts from other messages, and at least one subdivision wherein each subdivision is divided into lowest-level logical components (col.10, lines 35-45, and col.14, lines 15-60).
7. As to claim 4, Maurille teaches the invention as claimed, wherein the step of generating a message tree comprises: performing a top-down, recursive descent analysis to recursively divide each of the messages into sections, each section being one of a main-body of the message, an incorporated excerpt, a suffixed excerpt, the body of an excerpt, and an

Art Unit: 2144

- excerpt within all excerpt; and decomposing each section into logical components using a weighted finite-state machine (fig.4B, col.20, lines 15-55).
8. As to claim 5, Maurille teaches the invention as claimed, wherein the step of decomposing comprises: logically concatenating subsections of the body that is separated by incorporated excerpts; and applying a weighted finite state machine to the result (col.1, line 55 to col.2, line 10).
  9. As to claim 7, Maurille teaches the invention as claimed, wherein the document includes a compressed form of each of the messages (Fig.7C compress email).
  10. As to claim 8, Maurille teaches the invention as claimed, wherein each of the compressed forms comprises non-extraneous parts of the primary text and abbreviated forms of incorporated excerpts (col.4, lines 25-35).
  11. As to claim 9, Maurille teaches the invention as claimed, wherein the document includes a replies as annotations form for each of the messages (col.14, lines 15-60).
  12. As to claim 10, Maurille teaches the invention as claimed, including a computer controlled display system comprising: a display for presenting the e-mail threads on a viewing area of the display (Fig.3B message in thread); and a processor that is adapted to identify the logical components of each message in a thread (col.3, lines 40-65); determine the relationships between each message in the thread using the logical components, and generate a medium based upon the determined relationships (col.10, lines 20-30). But Maurille does not explicitly teach wherein any logical components that are identified in each of the messages in the thread are removed during the generating step so that the generated document does not include the redundant logical components.

However, Costales teaches any logical components that are identified in each of the messages in the thread are removed during the generating step so that the generated document does not include the redundant logical components (fig.5A) (see col.5, line 65 to col.6, line 40). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Costales into the computer system of Maurille to have generated document does not include the redundant logical components because it would have provided the quality of systems or elements that are backed up with secondary resources.

13. As to claim 12, Maurille teaches the invention as claimed, wherein the processor is adapted to generate a message tree that includes nodes that divide each message into a main body and into excerpts from other messages and further into lowest-level logical components (col.10, lines 35-45, and col.14, lines 15-60).
14. As to claim 13, Maurille teaches the invention as claimed, wherein the processor is adapted to perform a top-down, recursive descent analysis to create nodes of the message tree and to analyze divided extents using a weighted finite state machine (Fig. 4B, col.20, lines 15-55).
15. As to claim 15, Maurille teaches the invention as claimed, wherein the document includes a compressed form of each of the messages (Fig.7C compress email).
16. As to claim 16, Maurille teaches the invention as claimed, wherein each of the compressed form contains non-extraneous parts of the primary text (col.4, lines 25-35).
17. As to claim 17, Maurille teaches the invention as claimed, wherein the document includes a replies as annotations form for each of the messages (col.14, lines 15-30).

18. As to claim 18, Maurille teaches the invention as claimed, including an information storage media comprising: information that presents the e-mail threads on a viewing area of a display (Fig.3B message in thread); information that identifies logical components of each of the messages in the threads (col.3, lines 40-65); information that determines relationships between each of the messages in the thread using the logical components; and information that generates a medium based upon the determined relationships (col.10, lines 20-30). But Maurille does not explicitly teach wherein any logical components that are identified in each of the messages in the thread are removed during the generating step so that the generated document does not include the redundant logical components. However, Costales teaches any logical components that are identified in each of the messages in the thread are removed during the generating step so that the generated document does not include the redundant logical components (fig.5A) (see col.5, line 65 to col.6, line 40). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Costales into the computer system of Maurille to have generated document does not include the redundant logical components because it would have provided the quality of systems or elements that are backed up with secondary resources.
19. As to claim 20, Maurille teaches the invention as claimed, further comprising information that generates a message tree that includes nodes that divide each message into a main body and into excerpts from other messages and further into lowest-level logical components (col.10, lines 35-45, and col.14, lines 15-60).

20. As to claim 21, Maurille teaches the invention as claimed, further comprising:  
information that performs a top-down, recursive descent analysis to create some nodes of the message tree (col.20, lines 15-55).
21. As to claim 23, Maurille teaches the invention as claimed, wherein the medium includes a compressed form of each of the messages (Fig.7C compress email).
22. As to claim 24, Maurille teaches the invention as claimed, wherein each of the compressed form contains non-extraneous parts of the primary text (col.4, lines 25-35).
23. As to claim 25, Maurille teaches the invention as claimed, wherein the medium includes a replies as annotations form for each of the messages (col.14, lines 15-60).
24. As to claim 26, Maurille teaches the invention as claimed, including a computer system for presenting email threads comprising a computer processor for: (a) identifying logical components of each message in a thread (Fig.3B message in thread); (b) determining relationships between the messages in the threads using the logical components (col.3, lines 40-65); and (c) generating a medium based upon the determined relationships, wherein the e-mail threads are presented in the medium as semi-connected text(col.10, lines 20-30), But Maurille does not explicitly teach wherein any logical components that are identified in each of the messages in the thread are removed during the generating step so that the generated document does not include the redundant logical components. However, Costales teaches any logical components that are identified in each of the messages in the thread are removed during the generating step so that the generated document does not include the redundant logical components (fig.5A) (see col.5, line 65 to col.6, line 40). It would have been obvious to one of ordinary skill in the art at the



Art Unit: 2144

time of the invention was made to implement the teachings of Costales into the computer system of Maurille to have generated document does not include the redundant logical components because it would have provided the quality of systems or elements that are backed up with secondary resources.

25. As to claim 27, Maurille teaches the invention as claimed, wherein the medium is one of a human readable document and a computer readable document (Fig.2).
26. As to claim 2, Maurille does not teach redundant logical components from the document. However, Costales teaches redundant logical components from the document (col.4, lines 10-25). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Maurille and Costales to have a redundant logical components from the document because it would have an efficient system that can provide to be used to guard the primary system from failure by acting as a back up system.
27. Claims 11, and 19 have similar limitations as claim 2; therefore, they are rejected under the same rationale.
28. As to claim 6, Maurille does not teach using a weighted finite state grammar and identifying the maximally weighted path through the network. However, Costales teaches using a weighted finite state grammar and identifying the maximally weighted path through the network (Fig.4, col.5, line 18 to col.6, line 60). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Maurille and Costales to have using a weighted finite state

grammar and identifying the maximally weighted path through the network because it would have an efficient system that can provide the capability to efficiently transmit a large number of personalized e-mail message.

29. Claims 14, and 22 have similar limitations as claim 6; therefore, they are rejected under the same rationale.

### ***Conclusion***

30. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


31. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(571) 272-3929**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

Art Unit: 2144

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, David Wiley, may be reached at **(571) 272-3923**.

*TTN*

June 30, 2004

  
**DAVID WILEY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**